

The court has reviewed the M&R, the record, and Allen's petition. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 23]. The court GRANTS respondent's motion to dismiss [D.E.

13] and DISMISSES Allen's petition. The court DENIES a certificate of appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 483–84 (2000). The clerk shall close the case.

SO ORDERED. This 1 day of August 2018.



JAMES C. DEVER III
Chief United States District Judge